

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
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PCT

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

		Date of mailing (day/month/year) 23 March 2005 (23-03-2005)																
Applicant's or agent's file reference 703417 PCT		FOR FURTHER ACTION See paragraph 2 below																
International application No. PCT/CA2004/002019	International filing date (day/month/year) 24 November 2004 (24-11-2004)	Priority date (day/month/year) 24 November 2003 (24-11-2003)																
International Patent Classification (IPC) or both national classification and IPC IPC' B60N-2/32, B60N-2/20, B60N-2/64, B60R-7/00																		
Applicant INTIER AUTOMOTIVE INC. ET AL																		
<p>1. This opinion contains indications relating to the following items :</p> <table> <tbody> <tr> <td><input checked="" type="checkbox"/> Box No. I</td> <td>Basis of the opinion</td> </tr> <tr> <td><input type="checkbox"/> Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/> Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/> Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/> Box No. V</td> <td>Reasoned statement under Rule 43bis.1(a)(I) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement.</td> </tr> <tr> <td><input type="checkbox"/> Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input checked="" type="checkbox"/> Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input checked="" type="checkbox"/> Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </tbody> </table> <p>2. FURTHER ACTION If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.</p> <p>If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.</p> <p>For further options, see Form PCT/ISA/220.</p> <p>3. For further details, see notes to Form PCT/ISA/220.</p>			<input checked="" type="checkbox"/> Box No. I	Basis of the opinion	<input type="checkbox"/> Box No. II	Priority	<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/> Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Rule 43bis.1(a)(I) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement.	<input type="checkbox"/> Box No. VI	Certain documents cited	<input checked="" type="checkbox"/> Box No. VII	Certain defects in the international application	<input checked="" type="checkbox"/> Box No. VIII	Certain observations on the international application
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Name and mailing address of the ISA/CA Canadian Intellectual Property Office Place du Portage I, C114 - 1st Floor, Box PCT 50 Victoria Street Gatineau, Quebec K1A 0C9 Facsimile No: 001(819)953-2476	Authorized officer Scott Jurgens (819) 953-0617
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**WRITTEN OPINION OF THE
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PCT/CA2004/002019

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language which it was filed, unless otherwise indicated under this item.

This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of :
 - a. type of material

a sequence listing
 table(s) related to the sequence listing
 - b. format of material

in written format
 in computer readable form
 - c. time of filing/furnishing

contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statement that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments :

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Box No. V	Reasoned statement under Rule 43bis.1(a)(I) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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1. Statement

Novelty (N)	Claims <u>1-8</u>	YES
	Claims <u>NONE</u>	NO
Inventive step (IS)	Claims <u>1-8</u>	YES
	Claims <u>NONE</u>	NO
Industrial applicability (IA)	Claims <u>1-8</u>	YES
	Claims <u>NONE</u>	NO

2. Citations and explanations :

D1: GB2291584 A (FORD MOTOR COMPANY LIMITED) 31 January 1996 (31.01.1996)

Novelty (N)

Claims 1-8 comply with PCT Article 33(2). D1, being the closest prior art, discloses a seat having a seat bottom (20) and a seat back (4), the seat back being pivotally coupled to the seat bottom for movement between an upright position and a folded flat position. The seat back has a back panel with a hook attached thereto for hanging grocery bags (6) therefrom. However, the prior art does not disclose the hook being arranged to project downwardly when the seat back is in the upright position to prevent usage and the hook projecting upwardly when the seat back is in the folded flat position for use in supporting articles. Therefore, claims 1-8 are considered novel.

Inventive step (IS)

Claims 1-8 comply with PCT Article 33(3). None of the prior art individually or in combination disclose a seat having a hook arranged to project downwardly when the seat back is in an upright position to prevent usage and the hook projecting upwardly when the seat back is in a folded flat position for use in supporting articles. Therefore, claims 1-8 are considered inventive.

Industrial applicability (IA)

The subject matter of claims 1-8 is considered to be industrially applicable and thus fulfills the requirements of PCT Article 33(4).

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Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted :

The International Searching Authority has discovered in the international application what appear to be an obvious error as specified hereafter:

- In the description on page 4, line 2 the phrase "of the like" should be "or the like".

The abstract does not comply with PCT Rule 8.1(d). Each technical feature mentioned in the abstract and illustrated by a drawing in the international application shall be followed by a reference sign, placed between parenthesis.

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made :

The description does not comply with PCT Article 6. A statement, such as found on page 5, paragraph [0015], which implies that the protection sought may be extended to cover the "spirit" of the invention, should be removed.

Claim 6 does not comply with PCT Article 6. The claim or claims shall define the subject matter for which protection is sought. The claims shall be clear and concise. They shall be fully supported by the description. The double inclusion of any element is not permissible in the claims. The term "a load" (claim 6, line 3) has already been defined previously in the claims. The aforementioned term should therefore be referred using the definite article.